

Assembly Bill No. 2838

CHAPTER 470

An act to add Section 21002 to the Government Code, relating to public employees' retirement.

[Approved by Governor September 27, 2008. Filed with
Secretary of State September 27, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2838, Duvall. State employment: serious illness: purchase of service credit.

Existing law allows members of the Public Employees' Retirement System to purchase additional service credit, as specified. Existing law provides that time during which a member is absent from state service because of injury or illness arising out of, and in the course of, employment shall be considered as spent in state service for the purpose of qualification for retirement and death benefits, but not for calculation of retirement benefits, except as specified.

This bill would authorize a member who returns to active service following an employer-approved uncompensated leave of absence because of his or her serious illness to purchase service credit for that period of absence, as specified. The bill would require a member purchasing this service credit to pay an amount equal to the increase in employer liability connected with the costing of the service credit, as specified. The bill would prohibit the purchase of additional service credit pursuant to these provisions from reducing the amount of service credit that the member is otherwise eligible to purchase, as specified. The bill would permit a member to purchase service credit for a leave of absence that occurred either before or after the date the bill became effective.

The people of the State of California do enact as follows:

SECTION 1. Section 21002 is added to the Government Code, to read:

21002. A member who returns to active service following an employer-approved uncompensated leave of absence because of his or her serious illness may purchase service credit for that period of absence upon the payment of contributions as specified in Sections 21050 and 21052. The purchase of additional service credit pursuant to this paragraph shall not reduce the amount of service credit that the member is eligible to purchase pursuant to this chapter. A member may purchase service credit pursuant

to this section for a leave of absence that occurred either before or after the effective date of these provisions.

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